

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

LANCE Q. EALY,

Plaintiff,

Case No.: 3:14-CV-26

vs.

OHIO DEPARTMENT OF TAXATION, *et al.*,

Judge Walter H. Rice
Magistrate Judge Michael J. Newman

Defendants.

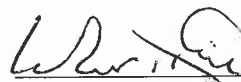
ORDER ADOPTING REPORT AND RECOMMENDATION (DOC. #2)

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (Doc. #2), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, it is hereby **ORDERED** that Plaintiff's complaint (Doc. #3) is dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B). If Plaintiff appeals this case to the Sixth Circuit Court of Appeals, he should be denied a certificate of appealability and leave to proceed *in forma pauperis*.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: 2-19-14



WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT